

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

LAWRENCE EARL WILSON,

Petitioner,

: Case No. 3:19-cv-266

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

RHONDA RICHARDS, Warden,
Franklin Medical Center,

Respondent.

:

**ORDER VACATING STAY AND REQUIRING AMENDED
PETITION**

This is an action for a writ of habeas corpus, brought *pro se* by Petitioner Lawrence Wilson under 28 U.S.C. § 2254. Upon its filing, the Court noted the pendency of Wilson’s Application to the Sixth Circuit under 28 U.S.C. § 2244(b) for permission to file a second or successive habeas corpus application (ECF No. 2). That court has now filed an Order denying Wilson’s Application. *In re: Lawrence E. Wilson*, Case No. 19-3310 (6th Cir. Oct. 11, 2019)(unreported; copy filed at ECF No. 3).

However, the circuit court also found permission was unnecessary as to Wilson’s proposed third and fourth grounds for relief because they “concern the denial of parole in 2017 and therefore ‘assert[] claims whose predicates arose after the filing of the original petition.’” *Id.* at PageID 3, citing *In re Jones*, 652 F.3d 603, 605-06 (6th Cir. 2010).”

Accordingly, it is hereby ordered that this Court’s Stay be, and it hereby is, VACATED. Petitioner shall file, not later than November 1, 2019, an amended petition setting forth the two

grounds (numbered as grounds one and two) on which the Sixth Circuit found he may proceed.

October 15, 2019.

s/ *Michael R. Merz*
United States Magistrate Judge